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January 6, 2005

Victoria Whitney, Division Chief Division of Water Rights State Water Resources Control Board 1001 I Street Sacramento, CA 95812

Re: SWRCB Order No. WR 95-10, as amended 1st Quarterly Report for Water Year

October 1, 2004 through September 30, 2005

Dear Sir:

Pursuant to Condition 13 of the subject order as amended, this letter is Cal-Am's *first quarterly* report for the water year October 1, 2004 through September 30, 2005.

Condition 13, as amended, requires:

- 13. Starting with the first full month following adoption of this Order, Cal-Am shall file quarterly with the Chief, Division of Water Rights:
 - (a) Reports of the monthly total amounts being: (1) pumped from wells; and (2) diverted from the Carmel River. Reports of the total monthly amount being pumped from wells shall show the amount being pumped from each well and shall show the location of each well.
 - (b) Reports of the progress being made in complying with the schedule submitted to comply with Condition 11,
 - (c) Reports of the progress being made in complying with Conditions 4, 5, 6, 7, 8, and 9, and
 - (d) Cal-Am shall submit a quarterly water budget thirty days after approval by the District."

RESPONSES

I. Condition 13(a). The total amounts being: (1) pumped from wells and (2) diverted from the Carmel River by month for each well location for the first Quarter of the Water Year, October 1, 2004 through September 30, 2005 is shown on Attachment 1. Attachment 2 shows the monthly production data through December 2004 from specific sub-units in the Carmel Valley via Carmel Valley wells. Carmel Valley Filter Plant produced 0.0AF from San Clemente Reservoir,



with 81.5 AF from Aquifers No. 1 and No. 2; Water West 0.0 AF; Aquifer No. 3 – 1319.8 AF; Aquifer No. 4 –704.0 AF. Total production through the month of December 2004 was 2105.3 AF. Net production, which includes ASR diversions, was 2088.0 AF. See Table. Los Padres releases are shown on Attachment 4.

- II. <u>Condition 13(b)</u>. Condition No. 11 has been satisfied because The Monterey Peninsula Water Management District has continued to implement the Mitigation Program for the District's Water Allocation Program Environmental Impact Report.
- III. <u>Condition 13(c)</u>. Progress being made in complying with Conditions 4, 5, 6, 7, 8, and 9 is as follows:

• <u>CONDITION NO. 4</u>

Cal-Am shall maximize production from the Seaside aquifer for the purpose of serving existing connections, honoring existing commitments (allocations), and to reduce diversions from the Carmel River to the greatest practicable extent during periods of low flow. Cal-Am shall minimize diversions from the Seaside aquifer whenever flow in the Carmel River exceeds 40 cfs at the Highway 1 Bridge from November 1 to April 30. The long-term yield of the basin shall be maintained by using the practical rate of withdrawal method.

Response No. 4:

Attachment 3 shows Net System Production Water Year to Date.

CONDITION NO. 5

To the maximum extent feasible without inducing seawater intrusion or unreasonably affecting the operation of other wells, Cal-Am shall satisfy the water demands of its customers by extracting water from its most downstream wells.

Response No. 5:

In July 2003, US Fish & Wildlife Service and Cal-Am executed the Second Amended Agreement for protection of the California Red-legged frog for Cal-Am's Carmel Valley operations (Agreement with USFWS). The Agreement states that, provided that Cal-Am complies with its terms and the Biological Opinion, incidental take of California Red-legged frog shall be exempt from the take prohibitions of Section 9 of the Endangered Species Act. One of the requirements of the Agreement with USFWS is to pump from downstream wells to the extent practicable, which is consistent with Condition No. 5.

On March 21, 2002, the State Board adopted WRO 2002-0002, which modified Cal-Am's operation of the upper Carmel Valley wells in a manner that is consistent with Condition No. 5.

CONDITION NO. 6

Cal-Am shall conduct a study of the feasibility benefits and estimated costs of supplying water to the areas now served by the Carmel Valley Filter Plant from its more nearby wells downstream of the plant and shall also conduct a similar study of utilizing the existing or expanded Begonia Treatment Plant or other facilities located further downstream in lieu of the Carmel Valley Filter Plant. This latter study shall be completed within one year of the date of entry of this Order. Petitioner shall have an opportunity to comment on the scope of the study. The study shall be under the direction of the Division of Water Rights, and will be conducted by a consultant approved by the Division. If the Chief, Division of Water Rights, finds that the measures identified in the studies are feasible, Cal-Am must implement supplying water from the facilities identified by the Division according to a schedule approved by Division of Water Rights. The objective of supplying water from the wells is to maintain surface flow in the stream as far downstream as possible by releasing water from San Clemente Dam for maintenance of fish habitat. The results of the study and recommendations shall be provided to the District and DF&G for comment.

Response No. 6:

In accordance with the terms of Order Nos. 95-10 and 98-04, two studies were done. The first was completed and submitted to the State Board in September 1996. The Reconnaissance-Level Feasibility Study of the Operational Reconfiguration of Lower Carmel Valley Wells was completed and was submitted to the State Board on June 21, 1999. In April 2001, the State Board issued Order 2001-04 in which it found these studies adequate. The order was protested and after a hearing, the State Board adopted WRO 2002-0002 on March 21, 2002 and confirmed the studies were adequate.

In past years, operation of the upper Carmel Valley wells has been limited during the months of May through December. WRO 2002-0002 changed the trigger for reducing operation of upper Carmel Valley Wells from specific months to "low flow periods", defined as times when stream flow in the Carmel River at the Don Juan Bridge (RM 10.8) gage is less than 20 cfs for five consecutive days. WRO 2002-0002 also required installation of certain facilities to facilitate usage of the more downstream aquifers and to determine whether the Carmel Valley Village Zone water supply needs can be supplied from the Begonia Zone.

In compliance with WRO 2002-0002, Cal-Am installed a pump that delivers water from the Begonia zone to the Carmel Valley Village in March 2002. During low flow periods, Cal-Am has ceased diversions from San Clemente Reservoir, is pumping from Russell

Wells 2 and 4, and has limited its pumping of the other upper Carmel Valley Wells to a schedule of maintenance pumping, which is set forth below. The maintenance-pumping schedule and the complete cessation of diversions from San Clemente Reservoir are being monitored and evaluated by NMFS and Cal-Am and are subject to adjustment in order to satisfy the needs of Cal-Am's customers and the needs of the steelhead. Since the pump has been installed, production from the Russell Wells has been limited to 0.5 cfs during low flow periods and the majority of Carmel Valley Village demand has been met by pumping water from the Begonia zone, which includes water well production facilities in AQ 3, AQ 4 and the Seaside Groundwater Basin. This mode of operation is being evaluated to address the adequacy of Cal-Am's distribution system and the new pump to accommodate the water supply needs of the Carmel Valley Village from the Begonia Zone.

Status of wells during September thru December 2004:

Lower Carmel Valley Wells

Rancho Canada - On-line

San Carlos – Emergency Stand-by only (under influence of surface water)

Cypress - Off Line for scheduled maintenance

Pearce - On Line

Schulte - On Line

Manor - On line

Begonia #2 - On Line

Berwick #7 – Out of Service until further notice.

Berwick #8 - On Line

Upper Carmel Valley Wells

Panetta 2 – Off Line (run 8hrs/day for 1 to 2 days per month for maintenance)

Panetta 4 – Off Line (run 8hrs/day for 1 to 2 days per month for maintenance)

Garzas 3 – Off Line (run 8hrs/day for 1 to 2 days per month for maintenance)

Garzas 4 – Off Line (run 8hrs/day for 1 to 2 days per month for maintenance)

Los Laureles 5 – Off Line (run 1 to 2 hours once a week for maintenance)

Los Laureles 6 – Off Line (run 1 to 2 hours once a week for maintenance)

Scarlett 8 – Off Line (run 1 to 2 hours once a week for maintenance)

Robles - Off Line (run 1 to 2 hours once a week for maintenance)

Russell 2 - On Line

Russell 4 – On Line

As of, December 11, 2004, the low flow period as defined by the Conservation Agreement and Order 2002-02 ended. The upper valley wells remain off line until needed to satisfy system demand.

CONDITION NO. 7

Cal-Am shall evaluate the feasibility of bypassing early storm runoff at Los Padres and San Clemente Dams to recharge the subterranean stream below San Clemente Dam in order to restore surface water flows in the river at an earlier date. The results of the study and recommendations shall be provided to the District and CDF&G for comment.

CONDITION NO. 8

Cal-Am shall conduct a study of the feasibility, benefits, and costs of modifying critical stream reaches to facilitate the passage of fish. The study shall be designed and carried out in consultation with DF&G and the District. The results of the study and recommendations shall be provided to the district and DF&G for comment.

Response Nos. 7 & 8:

See prior quarterly reports.

California American has proposed an alternate water supply project to meet the Order 95-10 as modified by subsequent orders. After diligent review of the options for technical, political and environmental merit, California American amended its application for a new reservoir on the Carmel River to include the desalination/ASR project originally developed by the CPUC, entitled *Plan B*. Additionally, California American requested that the CPUC be the lead agency for the Company's project, which has been named the Coastal Water Project. The CPUC has agreed to be the lead agency for the environmental work. The Proponents Environmental Assessment (PEA) consultants have selected and are currently three quarters through the PEA portion of the environmental work. California American Water expects to file the PEA with the CPUC in June 2005. To date, the project team has presented its plan and project status to all of the city councils in the service and has conducted two rounds of town hall meetings in the communities. The project team will continue to conduct public meetings for the duration of the PEA/EIR process.

Other items:

The Department of Safety of Dams has directed California American to permanently lower San Clemente Reservoir at all times possible. California American has reduced the elevation of the San Clemente reservoir to the level acceptable to DSOD and has installed a pipeline and floating weir and a pipeline to the existing fish ladder to allow steelhead to migrate down river even though the reservoir is not spilling. The CEQA process on the dam safety project headed by DSOD is currently underway.

Based on preliminary studies on the safe yields on the Seaside Ground Water Basin California American filed a lawsuit against the other pumpers in the aqueduct seeking adjudication of the ground water supplies. The suit has been assigned to a judge and is currently in mediation.

Should your staff have any questions please call me at (831) 646-3214.

Sincerely,

Steven Leonard

Vice-President /Manager

Coastal Division

California American Water

SDL Enclosures

cc:

- K. Urquardt
- J. Driscoll, Esq.
- P. Lyman, Esq.
- P. Townsley
- D. Stephenson
- D. Laredo, Esq.
- D. Armanasco
- S. Somach, Esq.
- D. Berger

CALIFORNIA AMERICAN WATER Moniterey Division UPPER CV WELLS - PRODUCTION Water Year 2004-2005

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Attachment #1
Page 2

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Attachment #1 Page 3

CALIFORNIA AMERICAN WATER Monterey Division CVFP Daily Production Report Water Year 2004-2005

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CALIFORNIA AMERICAN WATER Monterey.Division S.C. DAM & CARMEL VALLEY WELLS Production Water Year (AF) 2004-05

j Dale	CVFP San Clemente Dam	Aquifer 1 Russell 2 & 4	Aquifer 2 Robles Los Leureles 5 & 6	Water Wesl Panetla 1 & 2 Gerzas 3 & 4	Aquiter 3 Scarlett &Berwick 7 & 8 Begonie/Menor/Schulte Pearce/Cypress/Sen Cerlos	Aquifer 4 Rancho Canade	Total Production	BIRP BW & Seaside Test Inject. (ASR)	Net Production
0x12004	6/0	29.2	0.00	9.0	442/7	245.0	7/16/9	30.8	718.9
Oct 2003	0.0	25.1	0.0	0.0	575,8	284.3	885.2	0.3	885.5
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Dec 2003	<u>0.0</u>	28.1	0.0	0.0	392.1	249.1	667.3	-0.6	666.7
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lan 2004	0.0	25.9	0.0	0.0	588.2	262.4	876.5	0.2	876.7
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eb 2004	0.0	24.3	0.0	0.0	667.8	240.7	932.7	-28.3	904.4
viar 2005							0.0		0.0
Mar 2004	. 0,0	55.2	35.2	22.1	777.1	265.4	1,155.0	-28.5	1,128.5
Apr 2005							0.0		0.0
Apr 2004	0.0	60.9	79.6	40.7	830.7	241.7	1,253.5	-67.6	1,186.0
May 2005							0.0		0.0
⁴ ay 2004	0.0	29.1	0.0	0.0	. 761.3	248.5	1,039.0	-50,7	988.3
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lun 2004	0.0	22.1	0.0	0.0	699,5	237.7	959.4	-1.2	958.2
lul 2005					<u>.</u> .		0.0		0.0
Jul 2004	0.0	24.8	0.0	0.0	673.3	239.5	937.6	-2.3	935.3
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California American Water Monterey Division Net System Production Year to Date 2004

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Month		Surface Water	Wells	Wells	Wells	Wella	Wells	Wells	Wells	Wells	Wells	Test Well	(All Facilities)
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02/04	<u> </u>	0	1,056,647	39,577,760	0	154,714	385,999	260,629	456,208	379,100	36,882	3,533,177	38,774,762
	1000 G	0		296,062		1,157	2,887	1,950	3,413	2,836	276	26,430	290,055
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	1000 G	0	52,995	911,891	3,251	3,732	10,565	8,110	12,565	3,657	279	52,066	961,051
	ΑF	0.00	162.63	2,798.49	9.98	11.45	32.42	24.89	36.56	86.72	2.72	159.78	2,949.35
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Y-T-D	?	0	14,975,007	168,585,146	3,550,945	796,555	2,212,634	1,874,642	2,981,670	1,808,000	161,298	6,960,211	189,985,686
	1000 G	0	112,021	1,261,105	26,563			14,023	22,304	4,403	321	52,066	1,421,192
.	AF	0.0	343.8	3,870.2	81.5			43.0	68.4	41.5	3.7	159.8	4,361.5
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Y-T-D	F.	0	16.243.010	212.496.897	28.347.757	1,266,415	3,232,699	2.835.247	4,535,224	2.542.300	222.149	6.960.211	264.761.487
i	1000 G	0		1,589,587		9,473	24,182	21,209	33,926	5,493	455	52,066	1,980,554
	AF	00:00		4,878.26	650.77	29.07	74.21	62.09	104.11	58.36	5,10	159.78	6,078.09
96/04	P.	0	962,618	40,733,701	24,718,878	401,404	949,603	955,686	1,446,830	698,800	58,205	0	70,925,725
	1000 G	0		304,709	184,910	3,003	7,104	7,149	10,823	5,227	435	0	530,561
	ΑF	00:00		935.12	567.47	9.21	21.80	21.94	33.21	16.04	¥.:	0.00	1,628.23
Y-T-D	P.		17,205,628	253,230,598	53,066,635	1,667,819	4,182,302	3,790,933	5,982,054	3,241,100	280,354	6,960,211	335,687,212
	1000 G	0		1,894,297	396,966	12,476		28,358	44,749	5,227	435	52,066	2,511,115
.	ΑF	0.00	394.99	5,813.37	1,218.24	38.29	96.01	87.03	137.33	74.41	6.44	159.78	7.706.32

California American Water Monteray Division Net System Production Year to Date 2004

	San Clemente Dam	U. Carmel Valley	L. Carmel Valley	Seaside	Ryan Ranch	Hidden Hills	Bishop	Ambler	Chualar	Ralph Lane	ASR (-)	NETSYSTEM
Month	Surface Water	Wells	Wells	Wells	Wells	Wells	Wells	Wells	Wells	Wells	Test Weil	(All Facilities)
		700 020	099 377 00	800 079 00	EAE DOA	4 049 BBE	003 100	1 485 708	717 800	7077		60 563 51B
07/04 CF		1,079,854		178 582	243,891	7.575	7.430	11 114	5,370	969		520.371
AF.	0.00	24.79		548.05	12.53	23.25	22.80	34.11	16,48	1.83	0.00	1,596.96
Y-T-D CF	D	18,285,492	<u>۲۲</u>	76,939,563	2,213,810	5,194,967	4,784,113	7,467,762	3,958,900	360,068	6,960,211	405,250,730
1000 G		136,785		575,548	16,560	38,861	35,788	55,863	5,370	596	52,066	3,031,486
ΑF	0.00	419.78	06.02),0	1,700.23	20.00	1 19.20	20.00	‡ -	90.00	0.27	133.10	9,303.20
08/04 CF	0	1,073,561	41,266,964	21,819,324	395,680	998,340	982,594	1,460,364	661,721	62,562	0	68,721,110
	0	8,031		163,220	2,960	7,468	7,350	10,924	4,950	468	0	514,070
ĄF	0.00	24.65		500.90	90.6	22.92	22.56	33.53	15.19	4.	0.00	1,577.62
				11	77	400 000		900 9	4 600 604	000 007	276000	470 074 040
Y-T-D CF	-	200	સ 	100,00,007	4008,490	700,183,307	707,007,0	0,526,120	- 1000 V	122,030	52.086	3 545 556
1000 G	0.00	444.42	7,673.86	2,267.19	59.91	142.18	132,39	204.96	106.07	9.70	159.78	10,880.90
			L									,
09/04 CF	0	1,1	4	20,527,419	430,539	936,000	971,646	1,317,134	591,560	48,513	0	67,078,083
1000 G			m	153,556	3,221	7,002	7,268	9,853	4,425	363	0	501,779
AF	0.00	27.07	942.98	471.24	9.88	21.49	22.31	30.24	13.58	1.1	00.0	1,539.90
				440,000,000	000	1 400 001	700 000	40.045.000	707 1710 1	077 727	770	244 040 000
Y-T-D CF	.	Ņ.	<u>~</u>	1.19,286,300	3,040,029	708,807	90,00,10	002,645,01	101 7 7 6	47 1, 145	317,008,0	041,049,923
1000 G	-	153,636	2,807,808	892,324	22,741	53,331	50,40e	735 20	119 66	10.82	32,055 159.78	4,047,335
1	00.0			Z, 200.	2	10.000						20:02
SCIDION SOF	0	1.272.576		18.768.773	328,485	684,299	8045119	192,361	468,910	101-61	0	53,057,338
tion a season				140,385	2,457	5,118	4519	£132	3,508	367	0	396,396
AF.				430.83	X,	18.71	19.67	21.89	10,78	113	000	1,218,03
υ . Ε .		21 810 778	405 279 078	138 053 079	3.368.514	7.813.606	7,342,472	11.198.611	5.681,091	520,244	6 960 211	594 107 262
				1.032,709	25,198		54,926	83,771	3,508	367	52,066	4,444,231
AF	0.0				77,33		168.56	257.08	130,42	11.94	159.78	13,638.83
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Y-1-D CF		720,100,52	450,130,099	40,004,470	3,090,060	6,304,303	7,007,100	87 923	0,022,000	287,072		4 764 707
AF AF				3.371.31	,		176.47	269,83	138.27	12.81	159.78	14,622,33
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12ro4 OF	0	1,081,404	26	13,097,201	209,546		399,462	537,389	290.310	800.8	B	9
3(000)				97,974	1568		2,988	4 020	2,72	X		18 B 18 E
	000	24.63	97 16	100.00	4.0	76.0	A R		000	O TRACE		000000
Y-T-D CF		24,088,428	462,754,593	159,951,679	3,800,231	8,758,256	8,086,520	12,290,955	6,313,198	591,883	6,960,211	67
				1,196,522	28,428		60,491	91,943	2,172	254	,	
AF	0.00		10,623.38	3,671.99	87.24	201.06	185.64	282.16	144.93	13.59	159.78	15,603.20
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CALIFOrmIA AMERICAN WATER Monterey Division Los Padres Daily Release (CFS) Water Year 2004-2005

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Attachment #4
Page 1 of 1